

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANDREA STEINER,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CASE NO. 5:23-CV-0099

JUDGE BENITA Y. PEARSON

**MEMORANDUM OF OPINION AND
ORDER**

[Regarding [ECF No. 10](#)]

On August 16, 2023, the assigned magistrate judge issued a Report and Recommendation suggesting that the Commissioner's decision denying Plaintiff's application for Supplemental Security Income be vacated and remanded. *See* [ECF No. 10](#). Defendant informed the Court that it would not be filing objections. [ECF No. 11](#).

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within fourteen days of service. *Id.*; [Fed. R. Civ. P. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn, 474 U.S. 140, 145 \(1985\)](#); [United States v. Walters, 638 F.2d 947, 949–50 \(6th Cir. 1981\)](#). Absent objections, a district court may adopt a magistrate judge's report without review. *See* [Thomas, 474 U.S. at 149](#).

In the instant case, objections to the Report and Recommendation were due by August 30, 2023. None of the parties have filed any objections. Accordingly, the Court adopts the

(5:23-CV-0099)

Report and Recommendation. [ECF No. 10](#). The Commissioner's decision denying Plaintiff Supplemental Security Income is vacated and remanded. On remand, the claim will be sent to an administrative law judge for further consideration of Plaintiff's claim, the opportunity for a hearing, further development of the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act, and issuance of a new decision.

IT IS SO ORDERED.

August 31, 2023

Date

/s/ Benita Y. Pearson

Benita Y. Pearson
United States District Judge